

REPORT TO ANC 2F ON COMPREHENSIVE PLAN AMENDMENTS

Submitted by Committee on the Comprehensive Plan

Helen Kramer, Chairman
Commissioner John Bottino
Commissioner Janice Ferebee
Commissioner John Guggenmos
Yolanda Cole
Qadir El-Amin
David Feinstein
Brian Goggin
John Long

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GENERAL COMMENTS

The Draft Comprehensive Plan (CP) lacks a prioritization of recommendations. In order to be useful to the Council of the District of Columbia as a guide for immediate/medium-term/long-term action, the Office of Planning (OP) should amend the existing draft and include the three top priorities for each chapter and the five top priorities for the CP as a whole.

I. LAND USE

We encourage development of under-utilized sites within ANC 2F's boundaries to provide more housing, including affordable housing, and support the following amendments proposed by OP to the Future Land Use Map (FLUM) and Generalized Policy Map (GPM):

1. FLUM amendment 9810 to change 11th Street NW from M Street to O Street from moderate density commercial, moderate density residential to moderate density commercial, medium density residential. Eleventh Street NW is a wide, transit-oriented corridor that can comfortably accommodate future growth, and the increased residential density is appropriate in order to meet housing goals.
2. FLUM amendment 9938 to change 11th Street NW from O Street to R Street from moderate density residential to moderate density commercial, moderate density residential. This change is consistent with existing land uses and zoning.
3. GPM amendment 9965 to change one block of 14th Street NW between Riggs Street NW and S Street NW from a Neighborhood Conservation Area to a Main Street Mixed-Use corridor. This proposal is consistent with the mixed-use nature of the Uptown Arts-Mixed Use Overlay District (ARTS-3) surrounding this block and would allow better utilization of land.

II. TRANSPORTATION

ANC 2F supports OP's overall plans for moveDC, the Multimodal Long-Range Transportation Plan for transportation infrastructure and policies that guide DC's transportation vision for the next two decades. We support all efforts to build or upgrade the pedestrian and bicycle infrastructure (increase bicycle safety through continued expansion of protected bike lanes/cycle tracks and other separated facilities (409.10), and to create and implement effective and more extensive awareness, education, safety and enforcement campaigns for bikes, e-scooters and other micro-mobility vehicles, in accordance with the District's laws. E-scooters have become a public safety hazard due to lack of education and rules enforcement, and disregard for pedestrians, the elderly and those with disabilities (fallen e-scooters and speeding on sidewalks past pedestrians).

409.10

- ANC 2F recommends stronger language that calls for monitoring and enforcing the private vendor/providers dockless programs' Agreements (B23-359 – The Electric Mobility Devices Amendment Act of 2019). Currently DDOT does not effectively monitor or enforce the Dockless Bike and Scooter Share Terms and Conditions. The dockless programs need to be administered with the overall interests of DC residents in mind, not only of users of such means of transportation. This will be a heavy lift due to DDOT's gross failure to require awareness,

education, safety and enforcement campaigns when the dockless bike and scooter programs began. A culture of disrespect and hazardous behavior is going to be hard to correct.

III. HOUSING

We support the CP's goal to create 36,000 new housing units by 2025, including 12,000 affordable units, noting the urgency of increasing the supply of housing available for all types of households to reduce our city's burdensome high housing costs. To reach this goal there are several changes that must be made to zoning regulations, the approval processes, and the forms of community engagement.

Considering the restrictions imposed by the U.S. Congress in the Height of Buildings Act of 1910, as amended, and the high costs of land in the District of Columbia, we regard it as essential to reaching the new housing goals that zoning and historic preservation regulations reflect the necessity to increase the height and density of new construction wherever possible. We support up-zoning along wide avenues now dominated by rowhouses where the width of the roadways would allow enough light and air circulation if building heights were eventually increased, for example Rhode Island Avenue NW and NE. Where lot sizes permit in single-family zones, we urge up-zoning to allow more than one residence in addition to the currently allowed accessory dwelling units (ADUs). We note that the vague concept of "neighborhood character" in the CP and regulations could pose significant obstacles to achieving housing goals because of differences in interpretation, delaying permit approvals and allowing opponents of housing development to file obstructive lawsuits.

A. FAMILY-SIZED UNITS

Three-bedroom and larger units are not being built because the cost of the square footage is too high to construct relative to rental returns. Developers cannot afford to build them, and families cannot afford the additional space. *Merely requiring larger units will not necessarily lead to more units being built.*

1. Large units will need to be subsidized and/or incentivized to provide developers with an adequate return on investment (ROI).
2. Encourage design of compact units to accommodate more people in smaller, more efficient spaces, providing shared amenities, and indoor and outdoor play space.
3. An additional one-half floor height would accommodate loft space and additional storage, creating a feeling of more space.
4. Encourage "Missing Middle" housing types, such as cluster housing on transitional lots.
5. Encourage mid-rise, multi-family mixed-use developments for communities of families with shared amenities, including Day Care, store front medical services, retail, *etc.*, that make life easier for families and create community.

B. CITY LAND RESOURCES

The Government of the District of Columbia claims to own enough land to provide adequate housing but needs to find ways to make sure housing development on DC property is affordable. Requiring that 20 to 30 percent of the housing units developed on city-owned land be affordable could necessitate transferring the land at zero cost or providing a subsidy to offset the loss of rental income. A communications strategy should be prepared to educate the media and public about the financial constraints to avoid controversies and opposition about "giveaways" to developers.

1. Requests for Proposals (RFPs) for land offered by DC should occur on a defined schedule and have predictable timing for selection of the developer and execution of contracts to build trust in the process. The entire process should be transparent and free of political influence.
2. The Consolidated Plan for Housing and Community Development should consider RFPs and contracts for multiple simultaneous or sequential sites for development of affordable housing to increase the economies of scale and reduce construction costs. Repeat unit designs on multiple sites, while also offering varied architectural design by using kits of parts with variations. Consider modular component and/or modular unit construction in this context.
3. Reduce the number of multiple parties (developers, consultants, contractors) involved in the development of projects to avoid duplicate management, services and fees. Reconsider submission requirements for Department of Housing and Community Development (DHCD) or other District funding for affordable housing. At present, developers incur the costs of Schematic Design-level drawings for submission without any assurance of future funding. These costs can be transferred to professional service providers such as attorneys, architects and consultants through sharing of risk (without the upside of reward), or even lack of payment after the fact, particularly if funding is not approved. As these professionals are not in the risk business, many qualified firms choose not to do this kind of work. A process based on Requests for Qualifications (RFQ)s with highly defined contractual obligations and scope of work could be adopted, and once funds are approved, the applicant would move to drawing submissions.

C. REGULATIONS AND ZONING

The draft amendments to the CP should devote considerably more attention to moving projects through the system more quickly if housing goals are to be met. Special density Planned Unit Developments (PUDs) and Historic Preservation Review Board (HPRB) approvals take too much time, involve too many people with competing desires, and cost too much money to produce the housing we need in the anticipated time frame.

1. Streamline (faster, cheaper) all permit and approval processes.
2. For PUDs and projects in historic districts, limit the time frames for review by the Zoning Commission and HPRB respectively.
3. When multiple DC agencies are involved in project approvals, such as the District Department of Transportation (DDOT), the Public Space Committee, the Department of Consumer and Regulatory Affairs (DCRA) or OP, hold interagency meetings and designate a lead agency and official to resolve differences of opinion.
4. Consider creating a Fast Track process for moving prioritized housing projects through agency, Board and Commission approval and permit processes to create incentives for affordable and family-sized rental housing.
5. OP's Neighborhood Planning Division should create additional Small Area Plans to identify community needs and desires on a larger neighborhood scale, make community benefits predictable and move away from project-by-project, localized negotiations.
6. For PUDs, OP should enable the Zoning Commission to simplify the approval process by scaling the cost of providing community benefits relative to the size and cost of the proposed development. Consider reducing community benefit costs for projects with increased affordable housing units.
7. OP should create a Task Force to conform zoning to what the Historic Preservation Office (HPO) determines is the appropriate height and density for the neighborhood character in historic districts so that housing can be built as a matter of right and predictability improved, while

reducing community backlash. HPO's mandate should include consideration of ways in which good architectural design could enable increasing height and density for existing structures.

8. We also recommend that ANC regulations be revised to require all community groups and organizations to present their concerns through the ANC process, thus allowing the ANC Commissioners to weigh community views against the merits of a proposed project and reach conclusions to be reflected in the ANC's report to the HPRB.

D. HOUSING SUPPLY

The targeted distribution of affordable housing units appears reasonable at 33 percent affordable and 67 percent above 80 percent of the area median family income (MFI). However, building 30,000 units by 2025 and setting goals for each Ward require OP to test where and how many units can be built – and how fast. **Merely requiring more affordable units by inclusionary zoning (IZ) or other regulations will not necessarily result in building more units.** Developments are funded by banks and other investors who provide 75 to 90 percent of the funds and require a specific ROI. ***If that ROI cannot be achieved due to increased costs imposed by procedural delays and regulations, investments will go to other uses or other jurisdictions in the region.***

1. IZ has limits without increasing density or reducing costs of the approval process.
2. Tying density bonuses to “neighborhood character” encourages community backlash, unless neighborhood character is specifically defined, and matter of right density is calibrated to be in harmony with neighborhood character.
3. Reducing offsite housing contributions in favor of building affordable units onsite is a good goal, if it does not penalize small or difficult sites.
4. Make the process to obtain tax credits and other funding from city sources easier, faster and less costly for commitments to build affordable units.
5. Explore rent-to-own financing structures that benefit both the developer and resident.
6. Preserving single-family row houses and homes will not necessarily lead to affordable family housing. They could just become expensive townhouses and homes. It would be more effective to increase zoning on existing lots where possible to allow expansion, ADUs in backyards, or infill development. OP's Neighborhood Planning Division should determine where this is possible by neighborhood based on a zoning review.
7. Tax vacant land and structures at very high rates to encourage sale or development and inspect premises for which building permits have been issued to verify actual construction/repair activity is occurring.

E. FINANCING ASSISTANCE

DC has several programs that may not be well-known that could be expanded or improved in order to increase home ownership. These need to be marketed more widely where applicable.

1. Make programs more widely known, understood and easier to implement.
2. Programs that reduce mortgage down payment requirements can help those with income to support a mortgage but with little or no savings.
3. Consider programs targeted toward families of all income levels, on a sliding income scale.

F. HOUSING CONSERVATION/PRESERVATION

Retaining and maintaining existing housing is more cost effective and quicker than building new, and it is also more sustainable. However, rising costs of labor and construction materials affect both renovations and new construction. Many of the programs listed in the draft CP amendments sound positive but require funding. *How does the city intend to pay for this?*

1. Expanded apprenticeship programs and Job training for construction trades in collaboration with the building trades unions would be helpful to residents and to the construction industry and could mitigate rising costs, if other regulations do not add barriers.
2. Enforce existing laws to require maintenance of properties, especially rent-controlled property. DCRA needs to hire more building inspectors.
3. Data collection and enforcement of who lives in rent-controlled units are critical.
4. Evaluation of the rent voucher program and provision of wrap-around services to the formerly homeless and low-income tenants are critical to success in mixed-income buildings and neighborhoods.

G. COMMENTS ON SPECIFIC SECTIONS

500.2

1. \$100 million per year for the Housing Production Trust Fund is likely not enough to meet the goals of this plan. This should be studied and demonstrated further.
2. Increasing density throughout the city as matter-of-right without additional regulatory and approval processes is the fastest way to reach housing targets.

500.12

- IZ for small projects may deter development of infill sites. Consider a scale of IZ units based on size of project.

503.2

- *Requiring* the private sector to provide new market rate and affordable housing could potentially reduce housing supply altogether, depending upon whether the benefits outweigh the additional cost, time and effort. Requirements must be paired with incentives.

503.6

- What is the mechanism for “requiring the design of affordable and accessible housing to meet or exceed the same high-quality architectural standards achieved by market-rate housing....”? While this is a lofty goal, affordable housing must be produced at lower cost (or with higher subsidies) in order to deliver it for lower rents or sales prices. If this requirement adds additional design review and/or construction cost, this could add time and cost to the project, or make it impossible or more difficult to achieve.

504.8 Policy H-1.2.3: Mixed Income Housing

1. Significant community engagement by DC Government will be needed for this policy goal. If communities are permitted to chip away at zoning densities or mount legal opposition, this

could actually reduce the amount of housing built in high cost areas. This burden should not be placed only upon the real estate development community, site by site.

2. Small Area Plans may be a way to set expectations and engage neighborhoods in this effort.

506.8 Policy H-1.4.2: Opportunities for Upward Mobility

- In addition to assisting residents of public housing to become homeowners, consideration must be given to whether their incomes are adequate to maintain their homes over time.

506.11 Policy H-1.4.5: Scattered Site Acquisition

- Acquiring small sites at market rates is likely to be very expensive and time-consuming.

506.15 Action H-1.4.C: DCHA Improvements

- Housing for very low income, homeless and special needs requires wrap around services to be successful. Communities need to see successful programs in order to accept these residents into their community. *How does DC Government plan to administer, manage and pay for this?* Preparing low income residents for mixed-income living is critical to the success of the program and gaining public support. How will this be done and how will it be monitored – and at what cost?

506.16 Action H-1.4.D: Tax Abatement

1. This section contemplates tax abatements for conversion of office space to residential use. However, in recent years, residential has outpaced office for financial returns in many locations around the city due to the changes in the demand for housing, the nature of work, reduction of square feet/person in offices and increased office vacancy rates. It would better to evaluate this by neighborhood/area and to do so on an annual basis, along with other benchmarking in this plan.
2. Zoning that favors residential Floor Area Ratio (FAR) over office can also create neighborhoods that have insufficient foot traffic during the day, putting further stress on retail corridors that need daytime customers to survive. Favoring office over residential creates dead space at night.
3. Active retail and restaurant/entertainment neighborhoods and corridors with residential preference, such as the 14th Street NW Main Streets corridor, will rely on bars and alcohol sales, creating tension with residents. It is better to have a mix of residential and office to balance day and night traffic to help diverse types of retail thrive. In these cases, FAR should be use-neutral to allow for mixed-use development that flows with the market.

507.1 Reducing Barriers to Production

- The lengthy time and cost of approvals and permitting processes, and associated community engagement/backlash and litigation, have been demonstrated to be a barrier to producing housing units at the rate we need, *including affordable units*. Developers are opting to develop projects as matter-of-right to avoid these processes, leaving higher density on the table. *Clarity and predictability in the interpretation of the CP and zoning regulations by officials are critical to housing production.*

507.2 Policy H-1.5.1: Land and Building Regulations

1. The Urban Land Institute’s 2019 report, *Increasing Housing Supply and Attainability: Improving Rules & Engagement to Build More Housing*, found that special density entitlement processes (PUDs, Board of Zoning Adjustment relief, etc.) take about two years and \$2-2,500,000, regardless of the size of the project or number of units. This burden adds cost to housing production and can cause projects to miss the market cycle, and/or prevent projects from going ahead altogether, especially smaller developments. Regulatory requirements should be scaled to the size of development projects.
2. This is also true of many matter-of-right projects subject to HPRB approval processes, including ANC and community group review and input. With about 30 percent of the city designated as historic, this puts a significant burden on the timing, cost and quantity of housing production. In some cases, residents demand and HPO/HPRB support the reduction of density from the matter-of-right zoning under the concept of maintaining “neighborhood character.” Specificity on what constitutes neighborhood character would be useful and zoning should conform to defined neighborhood character to remove ambiguity and controversy.
3. All these processes need to be quicker, less costly and more predictable. The Urban Land Institute suggested that OP work directly with neighborhoods to create Small Area Plans that incorporate community needs and input up front, which can then be implemented by the development community as matter-of-right on a project-by-project basis.

509.3 Displacement

- Cultural displacement is in part related to the nature of ground floor retail. Retail is required by zoning in many locations, and is a desired amenity; however, as neighborhoods develop, and rents increase, neighborhood retail is often replaced with chain stores – some welcomed, while others threaten the identity which attracted residents to move there in the first place. Are there models elsewhere of how to maintain “mom and pop” or individual retailers while also adding new chain stores?

509.9 Policy H-2.1.5: Long-Term Affordability Restrictions

- Care needs to be taken to ensure that residents living in Tenant Opportunity to Purchase (TOPA) units actually meet the low-income requirements of the program. *How will this be monitored and enforced?*

510.2 Housing Conservation Programs

- Consider whether it would be more effective to subsidize low income older homeowners to move to *quality* senior housing where services are available, thereby allowing larger homes that are not accessible to turn over to low income families who need more space. This may require up-zoning to allow mid-rise multi-family construction in neighborhoods where older adults are currently living.

516 Ending Homelessness

1. Some homeless individuals choose to live on the streets (even in winter) rather than go to the current shelters, citing their location far from non-governmental service providers and the Central Business District. What can be done to better integrate these services?

2. Study and evaluate the effectiveness of the Homeward DC program in rehousing families. What happens to families in the program after the end of the year of subsidized rents?

IV. ENVIRONMENTAL PROTECTION

610.7 Policy E-3.2.8: Locally generated electricity

“Support locally generated electricity from renewable sources, including both commercial and residential renewable energy projects. “

ANC 2F notes the difficulties and delays homeowners in historic districts have experienced in obtaining approval from the HPRB for installation of solar panels on sloped roofs. While we understand the aesthetic concerns of historic preservation officials and historic neighborhood residents about the visual impact of solar panels on mansard and other sloped roofs visible from the street, we believe that this impact can be mitigated by installation of sheaths such as SolarSkin. We recommend creation of a Joint Task Force of the DC Department of Energy & Environment and the HPO to develop clear guidelines and standards that will facilitate the attainment of our renewable energy goals.

V. ARTS AND CULTURE

1403.1

The plan recognizes that sustaining space for arts and cultural uses is threatened by high real estate values and refers to a collaborative approach that includes “leveraged funding and financing for facility maintenance, development and programming,” but provides no specifics.

1403.3

Policy AC-1.1.9: Cultural Uses in Transit Station Area Planning

“Encourage cultural facilities and publicly accessible cultural space in reuse plans for transit station areas” lacks specificity as to how this should be accomplished. Reference to existing programs should be made, such as grants, tax incentives, or other means, and whether existing programs and funding are adequate.

Policy AC-1.1.10: Encourage Cultural Space in Planned Unit Developments

- We agree that developing low-cost cultural space should be provided in addition to, not instead of, any affordable housing deemed appropriate for a PUD.
- We recommend examining tax and other incentives for small cultural facilities and businesses to retain existing ones and to encourage establishment of new ones.

VI. CENTRAL WASHINGTON AREA ELEMENT

1608.15: CW – 1.1.14: Central Washington Multi-Modal Transportation System

- We agree that “Mass transit, walking and biking should be supported as the dominant forms of transportation to, from, and around the area.” Studies show that e-scooters replace walking and biking. Furthermore, a growing body of research suggests that the scooter craze may not be as green as advertised.
- Education and enforcement are needed to implement the prohibition of riding on the sidewalks in the Central Business District, in accordance with District law.

1608.16: Policy CW – 1.1.15: Reduce Single Occupancy Trips in Central Washington

- We support Improved/increased protected bike lanes, and the maintenance and implementation of dedicated bus lanes (H & I Transitway and upcoming K Street Transitway).

1608.19: Policy CW – 1.1.18: Cross-town Circulation

- We support adding “Enhance North-South connections such as the two-way 9th Street Bike Lanes which are under consideration. Request more detail from DDOT about how this issue will affect community members before a final decision is made.”

1608.21: Policy CW – 1.1.20: Wayfinding Signage

- We support adding signage : NO RIDING ON SIDEWALKS IN CENTRAL BUSINESS DISTRICT, with a map outlining the CBD boundaries.

VII. NEAR NORTHWEST AREA ELEMENT

2108.11

ANC 2F supports OP’s plan to continue to develop and implement programs to improve parking in the commercial districts. We support adding:

- Provide residents within designated official Residential Parking Permit zones in Near Northwest and Central Washington with accurate information about the eligibility and application process.

2109.12: Action NNW – 1.2.2.B: Recreational Facilities

- ANC 2F supports plans to develop additional recreational centers within the Planning Area, with a priority on the Logan Circle and Foggy Bottom-West End areas. The 2006 Parks and Recreation Master Plan identified these areas as being the parts of Near Northwest that are most deficient in recreational centers. We expect the Shaw Dog Park to continue or be relocated in the Logan Circle and Shaw neighborhoods.

2111.24

- The former Shaw Junior High School site is being redeveloped for Benjamin Banneker Academic High School. ANC 2F is disappointed that no provision has been proposed to develop a standalone Junior High School for Ward 2. Parents of the growing number of elementary school age children in this area have expressed reluctance to send their children to Cardozo Education

Campus in Ward 1 where they would share facilities with high school students. We anticipate needing a new middle school being built in either Ward 1, 2, or 6-- specifically feeding from Garrison Elementary, Seaton Elementary, and John Strong Thomson Elementary.